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# 4  
PATENT

DECLARATION, POWER OF ATTORNEY, AND PETITION

We, Michael H. Spritzer, a citizen of the United States of America, residing at 4090-6 Porte de Palmas, San Diego, California 92122; William S. Rickman, a citizen of the United States of America, residing at 873 Eugenie Avenue, Encinitas, California 92024; Niles W. Johanson, a citizen of the United States of America, residing at 6083 Via Regla, San Diego, California 92122; and Glenn T. Hong, a citizen of the United States of America, residing at 18 Wachusett View Drive, Westborough, Massachusetts 01581, verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled PROCESS FOR HYDROTHERMAL TREATMENT OF MATERIALS, for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 09/841,058 on April 23, 2001; (We hereby authorize the attorneys of Nydegger & Associates to insert said serial number and filing date when known.); that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

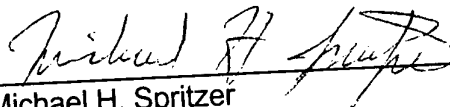
18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys NEIL K. NYDEGGER, Registration No. 30,202, and MATTHEW K. HILLMAN, Registration No. 45,892, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:


Neil K. Nydegger, Esq.  
NYDEGGER & ASSOCIATES  
348 Olive Street  
San Diego, California 92103  
(619) 688-1300

Wherefore, we pray that a letters patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at San Diego, Ca, this 15 day of October, 2001.

Inventor   
Michael H. Spritzer  
4090-6 Porte de Palmas  
San Diego, California 92122

Signed at San Diego, Ca, this 15 day of October, 2001.

Inventor   
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(Signatures Continued on Page 3)

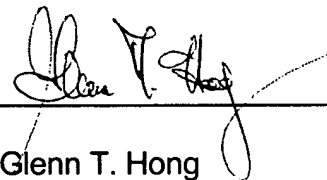
Signed at San Diego, Ca, this 15 day of October, 2001

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Signed at Westborough, MA, this 11<sup>th</sup> day of May, 2001.

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declpoapet:ddb  
Docket: 11156.81